

UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEW JERSEY  
Caption in Compliance with D.N.J. LBR 9004-1

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Debtor-in-Possession*

In re:

**HOLLISTER CONSTRUCTION SERVICES, LLC,<sup>1</sup>**

Debtor.

Chapter 11

Case No. 19-27439 (MBK)

**ORDER GRANTING THE DEBTOR'S SECOND OMNIBUS OBJECTION TO  
CERTAIN (I) DUPLICATE CLAIMS, (II) AMENDED AND SUPERSEDED CLAIMS,  
(III) UNSUPPORTED CLAIMS, (IV) INVALID ADMINISTRATIVE/PRIORITY  
CLAIMS, AND (V) SETTLED CLAIMS**

The relief set forth on the following pages, numbered two (2) through and  
including four (4) is hereby **ORDERED**.

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<sup>1</sup> The Debtor in this chapter 11 case and the last four digits of its taxpayer identification number is: Hollister Construction Services, LLC (5404).

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Debtor: Hollister Construction Services, LLC

Case No.: 19-27439 (MBK)

Caption: Order Granting the Debtor's Second Omnibus Objection to Certain (I) Duplicate Claims, (II) Amended and Superseded Claims, (III) Unsupported Claims, (IV) Invalid Administrative/Priority Claims, and (V) Settled Claims

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Upon the second omnibus objection (the "Second Omnibus Objection")<sup>2</sup> of the Debtor in the above-captioned Chapter 11 Case seeking entry of an order, pursuant to sections 105(a) and 502 of the Bankruptcy Code, Bankruptcy Rule 3007, and Local Rules 3007-1 and 3007-2, disallowing and expunging, reclassifying, or modifying the claims set forth on Exhibits A through E hereto (collectively, the "Disputed Claims") for the reasons set forth in the Second Omnibus Objection; and the Court having jurisdiction to consider this matter pursuant to 28 U.S.C. §§ 157 and 1334; and venue being proper before the Court pursuant to 28 U.S.C. §§ 1408 and 1409; and consideration of the Second Omnibus Objection being a core proceeding pursuant to 28 U.S.C. § 157(b); and it appearing that proper and adequate notice of the Second Omnibus Objection has been given and that no other or further notice is necessary; and upon the record herein; and the Court having determined that the relief sought by the Second Omnibus Objection is in the best interests of the Debtor, its estate, and creditors; and after due deliberation and good and sufficient cause appearing therefor;

**IT IS HEREBY ORDERED THAT:**

1. The Second Omnibus Objection is GRANTED as set forth herein.
2. The Disputed Claims listed on Exhibit A attached to this Order under the column heading "Duplicate Claims to be Disallowed" are hereby disallowed and expunged.

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<sup>2</sup> Capitalized terms used but not otherwise defined herein shall have the meanings ascribed to them in the Second Omnibus Objection.

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Debtor: Hollister Construction Services, LLC

Case No.: 19-27439 (MBK)

Caption: Order Granting the Debtor's Second Omnibus Objection to Certain (I) Duplicate Claims, (II) Amended and Superseded Claims, (III) Unsupported Claims, (IV) Invalid Administrative/Priority Claims, and (V) Settled Claims

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3. The Disputed Claims listed on Exhibit B attached to this Order under the column heading "Amended And Superseded Claims to be Disallowed" are hereby disallowed and expunged.

4. The Disputed Claims listed on Exhibit C attached to this Order under the column heading "Unsupported Claims" are hereby reclassified as general unsecured claims as reflected in the respective "Modified Claim Amount" indicated therein.

5. The Disputed Claims listed on Exhibit D attached to this Order under the column heading "Invalid Priority Claims" are hereby reclassified as general unsecured claims as reflected in the respective "Modified Claim Amount" indicated therein.

6. The Disputed Claims listed on Exhibit E attached to this Order under the column heading "Settled Claims" are hereby (a) disallowed and expunged or (b) modified as reflected in the respective "Modified Claim Amount" indicated therein.

7. For the avoidance of doubt, nothing in the Second Omnibus Objection or this Order shall be deemed or construed to (a) constitute an admission as to the validity or priority of any claim against the Debtor, (b) an implication or admission that any particular claim is of a type specified or defined in this Order or the Second Omnibus Objection, and/or (c) constitute a waiver of the Debtor's rights to dispute any claim on any grounds.

8. The Debtor, its claims and noticing agent (Prime Clerk LLC), and the Clerk of this Court are authorized to take any and all actions that are necessary or appropriate to give effect to this Order.

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Debtor: Hollister Construction Services, LLC

Case No.: 19-27439 (MBK)

Caption: Order Granting the Debtor's Second Omnibus Objection to Certain (I) Duplicate Claims, (II) Amended and Superseded Claims, (III) Unsupported Claims, (IV) Invalid Administrative/Priority Claims, and (V) Settled Claims

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9. The objection to each claim addressed in the Second Omnibus Objection and as set forth on Exhibits A through E attached hereto constitutes a separate contested matter as contemplated by Bankruptcy Rule 9014. This Order shall be deemed a separate order with respect to each claim that is the subject of the Second Omnibus Objection and this Order. Any stay of this Order pending appeal by any claimants whose claims are subject to this Order shall only apply to the contested matter that involves such claimant and shall not stay the applicability and/or finality of this Order with respect to any other contested matters addressed in the Second Omnibus Objection and this Order.

10. The requirement set forth in Local Rule 9013-1(a)(3) that any motion or other request for relief be accompanied by a memorandum of law is hereby deemed satisfied by the contents of the Second Omnibus Objection or otherwise waived.

11. Notwithstanding any applicability of any of the Bankruptcy Rules, the terms and conditions of this Order shall be immediately effective and enforceable upon its entry.

# **EXHIBIT A**

**SECOND OMNIBUS CLAIM OBJECTION**  
**EXHIBIT A – DUPLICATE CLAIMS**

<b>NAME</b>	<b>DUPLICATE CLAIM TO BE DISALLOWED</b>	<b>FILED DATE</b>	<b>ASSERTED CLAIM AMOUNT</b>	<b>MODIFIED CLAIM AMOUNT</b>	<b>REMAINING CLAIM NUMBER</b>
Frank Kumas 1254 Point Breeze Avenue Philadelphia, PA 19146	Claim No. 97	10/17/2019	\$237,923.13	\$0	Claim No. 451
Frank Kumas 1254 Point Breeze Avenue Philadelphia, PA 19146	Claim No. 75	10/19/2019	\$86,670.00	\$0	Claim No. 455
New Jersey Masonry Corp 105 Farnham Ave Garfield, NJ 07026	Claim No. 465	12/24/2019	\$141,810.62	\$0	Claim No. 463

# **EXHIBIT B**

**SECOND OMNIBUS CLAIM OBJECTION**  
**EXHIBIT B – AMENDED AND SUPERSEDED CLAIMS**

<b>NAME</b>	<b>AMENDED AND SUPERSEDED CLAIMS TO BE DISALLOWED</b>	<b>FILED DATE</b>	<b>ASSERTED CLAIM AMOUNT</b>	<b>MODIFIED CLAIM AMOUNT</b>	<b>REMAINING AMENDING AND SUPERSEDING CLAIMS</b>
Department of the Treasury - Internal Revenue Service PO Box 7346 Philadelphia, PA 19101- 7346	Claim No. 172	10/25/2019	\$3,427.83	\$0.00	Amended and Superseded by Claim No. 254
Department of the Treasury - Internal Revenue Service P.O. Box 7346 Philadelphia, PA 19101	Claim No. 254	11/18/2019	\$2,427.83	\$0.00	Amended and Superseded by Claim No. 539
New York State Department of Taxation and Finance Bankruptcy Section PO Box 5300 Albany, NY 12205-0300	Claim No. 171	10/17/2019	\$916.17	\$0.00	Amended and Superseded by Claim No. 551
State of New Jersey, Division of Taxation PO Box 245 Trenton, NJ 08695	Claim No. 529	2/11/2020	\$3,785,172.79	\$0.00	Amended and Superseded by Claim No. 549



# **EXHIBIT C**

**SECOND OMNIBUS CLAIM OBJECTION**  
**EXHIBIT C – UNSUPPORTED CLAIMS**

NAME	UNSUPPORTED CLAIMS	FILED DATE	ASSERTED CLAIM AMOUNT	MODIFIED CLAIM AMOUNT	REASON
Brach Eichler LLC Attn: Carl J. Soranno, Esq. 101 Eisenhower Parkway Roseland, NJ 07068	Claim No. 150	10/24/2019	Priority: \$6,783.00 Unsecured: \$40,359.63 Total: \$47,359.63	Priority: \$0 Unsecured: \$47,359.63 Total: \$47,359.63	Lack of Documentation – reclassify to General Unsecured
Corso, Anthony 10C Prospect Street Highlands, NJ 07732	Claim No. 400	11/21/2019	Priority: \$1,078.74 Unsecured: \$0 Total: \$1,048.74	Priority: \$0 Unsecured: \$1,048.74 Total: \$1,048.74	Lack of Documentation – reclassify to General Unsecured
Friends Carpentry & Paint LLC Kumas, Frank 1254 Point Breeze Ave. Philadelphia, PA 19146	Claim No. 451	12/19/2019	Priority: \$237,923.13 Unsecured: \$0 Total: \$237,923.13	Priority: \$0 Unsecured: \$237,923.13 Total: \$237,923.13	Lack of Documentation – reclassify to General Unsecured
Friends Carpentry & Paint LLC Kumas, Frank 1254 Point Breeze Ave. Philadelphia, PA 19146	Claim No. 455	12/19/2019	Priority: \$86,670.00 Unsecured: \$0 Total: \$86,670.00	Priority: \$0 Unsecured: \$86,670.00 Total: \$86,670.00	Lack of Documentation – reclassify to General Unsecured
Infinity Electrical LLC c/o Mellinger Sanders & Kartzman, LLC 101 Gibraltar Drive, Suite 2F Morris Plains, NJ 07849	Claim No. 389	11/19/2019	Priority: \$17,473.11 Unsecured: \$0 Total: \$17,473.11	Priority: \$0 Unsecured: \$17,473.11 Total: \$17,473.11	Lack of Documentation – reclassify to General Unsecured
Let It Grow, Inc. 52 Ackerson Street River Edge, NJ 07661	Claim No. 216	11/12/2019	Priority: \$13,512.80 Unsecured: \$0 Total: \$13,512.80	Priority: \$0 Unsecured: \$13,512.80 Total: \$13,512.80	Lack of Documentation – reclassify to General Unsecured
New Jersey Building Laborers’ Statewide Benefit Funds Kroll Heineman Carton, LLC 99 Wood Avenue South, Suite 307 Iselin, NJ 08830	Claim No. 388	11/19/2019	Priority: \$10,000 Unsecured: \$0 Total: \$10,000.00	Priority: \$0 Unsecured: \$10,000.00 Total: \$10,000.00	Lack of Documentation – reclassify to General Unsecured
Northeast Carpenters Funds c/o Kroll Heineman Carton LLC 99 Wood Avenue South, Suite 307 Iselin, NJ 08830	Claim No. 382	11/19/2019	Priority: \$10,000 Unsecured: \$0 Total: \$10,000.00	Priority: \$0 Unsecured: \$10,000.00 Total: \$10,000.00	Lack of Documentation – reclassify to General Unsecured

# **EXHIBIT D**

**SECOND OMNIBUS CLAIM OBJECTION**  
**EXHIBIT D – INVALID PRIORITY CLAIMS**

NAME	INVALID PRIORITY CLAIMS	FILED DATE	TOTAL ASSERTED CLAIM AMOUNT	MODIFIED CLAIM AMOUNT	REASON
Brach Eichler, LLC Attn: Carl J. Soranno, Esq. 101 Eisenhower Parkway Roseland, NJ 07068	Claim No. 150	10/24/2019	Priority: \$6,783.00 Unsecured: \$40,576.63 Total: \$47,359.63	Priority: \$0 Unsecured: \$47,576.63 Total: \$47,359.63	Invalid Priority Claim – reclassify to General Unsecured
Corso, Anthony 10C Prospect Street Highlands, NJ 07732	Claim No. 400	11/21/2019	Priority: \$1,078.74 Unsecured: \$0 Total: \$1,048.74	Priority: \$0 Unsecured: \$1,078.74 Total: \$1,048.74	Invalid Priority Claim under 507(a)(4) – reclassify to General Unsecured
Friends Carpentry & Paint LLC Kumas, Frank 1254 Point Breeze Ave. Philadelphia, PA 19146	Claim No. 451	12/19/2019	Priority: \$237,923.13 Unsecured \$0 Total: \$237,923.13	Priority: \$0 Unsecured: \$237,923.13 Total: \$237,923.13	Invalid Priority Claim under 507(a)(4) – reclassify to General Unsecured
Friends Carpentry & Paint LLC Kumas, Frank 1254 Point Breeze Ave. Philadelphia, PA 19146	Claim No. 455	12/19/2019	Priority: \$86,670.00 Unsecured \$0 Total: \$86,670.00	Priority: \$0 Unsecured: \$86,670.00 Total: \$86,670.00	Invalid Priority Claim under 507(a)(4) – reclassify to General Unsecured
K.B. Electrical Service Co. Inc. 153 Park Avenue Park Ridge, NJ 07656	Claim No. 433	11/12/2019	Priority: \$13,270.00 Unsecured: \$23,431.82 Total: \$36,701.00	Priority: \$0 Unsecured: \$36,701.00 Total: \$36,701.00	Invalid Priority Claim under 507(a)(4) – reclassify to General Unsecured
Lakeside Carpentry LLC 20 Kenwood Road Wayne, NJ 07470	Claim No. 148	10/30/2019	Priority: \$7,450.00 Unsecured: \$0 Total: \$7,450.00	Priority: \$0 Unsecured: \$7,450.00 Total: \$7,450.00	Invalid Priority Claim under 507(a)(4) – reclassify to General Unsecured
NJ Masonry Corp 105 Farnham Ave. Garfield, NJ 07026	Claim No. 463	12/24/2019	Priority: \$141,810.62 Total: : \$141,810.62	Priority: \$0 Unsecured: \$141,810.62 Total: \$141,810.62	Invalid Priority Claim under 507(a)(4) – reclassify to General Unsecured

NAME	INVALID PRIORITY CLAIMS	FILED DATE	TOTAL ASSERTED CLAIM AMOUNT	MODIFIED CLAIM AMOUNT	REASON
New Jersey Building Laborers' Statewide Benefit Funds c/o Kroll Heineman Carton LLC 99 Wood Avenue South, Suite 307 Iselin, NJ 08830	Claim No. 388	11/19/2019	Priority: \$10,000 Unsecured: \$0 Total: \$10,000.00	Priority: \$0 Unsecured: \$10,000 Total: \$10,000	Invalid Priority Claim under 507(a)(5) – reclassify as General Unsecured
Northeast Carpenters Funds c/o Kroll Heineman Carton LLC 99 Wood Avenue South, Suite 307 Iselin, NJ 08830	Claim No. 382	11/19/2019	Priority: \$10,000 Unsecured: \$0 Total: \$10,000.00	Priority: \$0 Unsecured: \$10,000 Total: \$10,000.00	Invalid Priority Claim under 507(a)(5) – reclassify as General Unsecured
NorthPoint Staffing, LLC 88 East Main Street, Suite 107 Mendham, NJ 07945	Claim No. 37	10/7/2019	Priority: \$13,650.00 Unsecured: \$12,100.00 Total: \$25,750.00	Priority: \$0 Unsecured: \$25,750.00 Total: \$25,750.00	Invalid Priority Claim under 507(a)(4) – reclassify to General Unsecured
TerraSure Services, LLC Attn: Michael Abbruzzese 747 3 <sup>rd</sup> Avenue, 2d Floor New York, NY 10017	Claim No. 340	11/20/2019	Priority: \$25,640.00 Unsecured: \$32,854.00 Total: \$58,494.00	Priority: \$0 Unsecured: \$58,494.00 Total: \$58,494.00	Invalid Priority Claim – reclassify to General Unsecured

# **EXHIBIT E**

**SECOND OMNIBUS CLAIM OBJECTION**  
**EXHIBIT E – SETTLED CLAIMS**

<b>NAME</b>	<b>SETTLED CLAIMS</b>	<b>FILED DATE</b>	<b>TOTAL ASSERTED CLAIM AMOUNT</b>	<b>MODIFIED CLAIM AMOUNT</b>	<b>REASON</b>
Ricoh USA, Inc. Mark E. Felger 1201 North Market Street, Suite 1001 Wilmington, DE 19801	Claim No. 296	11/19/2019	Priority: \$0 Unsecured: \$0 Total: \$0	Priority: \$0 Unsecured: \$0 Total: \$0	Resolved by Court-approved settlement related to the Ricoh Project. Expunge.
RTI Restoration Tech, Inc. Attn: Carl J. Soranno, Esq. Brach Eichler, LLC 101 Eisenhower Parkway Roseland, NJ 07068	Claim No. 295	11/19/2019	Priority: \$6,350.00 Unsecured: \$1,550.00 Total: \$7,900.00	Priority: \$0 Unsecured: \$1,550.00 Total: \$1,550.00	Resolved by Court-approved settlement related to the FDU Projects. Expunge in part and modify to General Unsecured only.